

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESUS CHRIST PRISON MINISTRY,
et al. ,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

No. 2:05-CV-00440 DAD

**ORDER REGARDING STIPULATION
FOR VOLUNTARY DISMISSAL**

Upon the Parties' stipulation for voluntary dismissal with prejudice under Federal Rule of Civil Procedure 41(a)(1)(ii), which is contained in Clerk's Record (CR) 68, as supplemented by CR 69, IT IS ORDERED that:

1. This court's summary judgment order (CR 58) is withdrawn;
2. All pending motions and hearing dates are vacated;
3. The Clerk of the Court is directed to close this case; and
4. Upon the Parties' agreement, that, to the extent set forth in section 7 of the Settlement Agreement, the United States District Court for the Eastern District of California shall retain continuing jurisdiction of the matter entitled *Jesus Christ Prison Ministry, et al., Plaintiffs, v. California Department of Corrections, et al., Defendants*, Case No. 2:05-CV-00440 DAD, with the Honorable Magistrate Judge Dale A. Drozd

1 presiding. The purposes of retaining continuing jurisdiction shall be solely to resolve any
2 disputes that may arise between the named Plaintiffs and Defendants in connection with
3 sections one and two of the Settlement Agreement pertaining to SATF and to enforce the
4 terms contained in sections one and two of this Settlement Agreement. Plaintiffs have no
5 right to enforce any terms which apply to institutions other than SATF, and the Court's
6 continuing jurisdiction does not apply to institutions other than SATF.

7 Before seeking court intervention, the Plaintiffs must first meet and confer
8 with CDCR in good faith, and give CDCR a reasonable opportunity to investigate and
9 remedy (if appropriate) any alleged violation of the terms contained in sections one and
10 two of this agreement. Further, such enforcement rights shall not extend to any third
11 party beneficiary of this agreement. The Court's continuing jurisdiction shall cease six
12 months after the initial implementation of the religious audio media pilot program at
13 SATF, or six months after the filing date of this Settlement Agreement and the Proposed
14 Order, whichever is later.

15 IT IS SO ORDERED.

16 DATED: April 16, 2007.

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20 DALE A. DROZD
21 UNITED STATES MAGISTRATE JUDGE
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